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Lieutenant Governor John Garamendi's Testimony before the

President's Ocean Policy Task Force's Public Meeting in San Francisco

September 17, 2009

Hello. My name is John Garamendi. I am California's Lieutenant Governor, chair of the California State Lands Commission, and a member of the California Ocean Protection Council and Clean Seas Coalition.

Thank you having me here today at the President's Ocean Policy Task Force public meeting to discuss important issues that have a profound impact on California's coastline.

The Value of the California Coast and Ocean

California is home to the largest seacoast in the continental United States. The coast and ocean form a critical part of California's economy, in the form of tourism, fishing, ports, and recreation – by some estimates over \$46 billion. The coast and ocean also function as a recreational amenity for millions of Californians and visitors to our state. Our coast supports more than 370,000 jobs.

California's precious coastal environment has been lauded for centuries. Our coastal regions nurture a rich and diverse community of plants and animals. These foster a strong fishing industry and recreational activities including trips to watch birds, elephant seals, whales and other wildlife. The ocean environment also provides the habitat necessary for rare and endangered species.

To open the door to new offshore oil drilling – in state or federal waters – at a time when we know the detrimental impact of climate change and know we need to transition away from fossil fuels, puts our natural habitat and economy needlessly at risk. California hasn't approved a new offshore oil lease in more than 40 years and now is not the time to start.

1969 Santa Barbara Oil Spill

Forty years ago, a well on Platform A, in federal waters off of Santa Barbara, blew out. Oil spewed out of the hole in the ocean floor for eleven days, spilling between 80,000 and 100,000 barrels of oil. Two hundred square miles of ocean and 35 miles of California coastline were oiled and thousands of birds and animals were killed. The oil forever stained the minds of Santa Barbara residents, beach lovers, and Californians.

Many reflect on it like it was yesterday – what the beach looked like; how, even in homes far from the shore, they could smell the oil, how the public banded together to save the area's most important resource – the coast.

The industry claims the technology has improved since then, and it has. Yet somehow, the latest technology is still prone to spillage, as evidenced on coasts worldwide.

2009 Timor Sea Oil Spill

On August 21st of this year, a platform, 150 miles off the coast of Australia in the Timor Sea, began gushing oil. To date, 1,200 tons of oil have spilled into the sea, making it the third largest spill in Australian history. Reports estimate the leak may not be completely plugged until late October. Extending across an estimated 1,100 to 1,800 square miles of ocean, the spill has killed everything in its wake, including sea turtles and sea snakes, and it is feared there could be an impact on whale and dolphin populations as well.

Anyone proposing new drilling off our coasts should look at this very recent case study with intense trepidation. In some ways the Australians got off easy. This platform was far from shore, minimizing the impact on beaches, coastal fisheries, and marine tourism. Had this spill occurred off the coast of California, with platforms that have similar technology only a couples miles offshore, we may have witnessed the worst ecological disaster in United States history. Coupled with the current recession, California's coastal economy would be decimated as well.

Offshore operators have had 40 spills greater than 1,000 barrels since 1964, including 13 in the last 10 years, according to the United States Minerals Management Service. Spills of this nature are far more common than the industry would like us to believe.

When the stakes are this high, we must resist the temptation to sell our coast to the highest bidder. For this reason and many more, both the State Lands Commission and California State Assembly have recently rejected proposals for new oil leases in state waters. Today, I call on the Ocean Policy Task Force and President Obama to recommend to the relevant authorities in Washington continuation of California's 40 year moratorium on oil drilling in the Pacific Ocean. The potential environmental and economic devastation of new oil and gas leasing to the eighth largest global economy is not worth the risk and completely contradicts California's efforts to expand renewable and alternative energy resources.

State Lands Commission Policy Opposing New Leases

In addition to personally opposing the proposed new leases, as Chair of the California State Lands Commission, I am also here today to convey the Commission's opposition to new oil and gas leases. This is the state agency that manages the state's coastal waters to benefit the state and its people.

As the steward of California's offshore waters, the State Lands Commission is charged with balancing the uses of these waters with the need to foster their resources. Since the 1969 oil spill in federal waters off Santa Barbara, the Commission has been clear and unwavering in its policy that offshore oil and gas leases interfere with and damage these other uses. Since 1969, the Commission has not approved any new oil and gas leases in state waters. It has actively sought to end existing leases in the last 40 years, and I am happy to report that 33 of them have been claimed back to the state.

In January of this year, the Commission was faced with an application for a new oil lease in the one circumstance where they are still permitted by state law – when state oil is being drained by federal wells. We carefully considered the proposal, listened to testimony from experts, interested parties and the public, and ultimately concluded that new oil and gas development was not worth the potential impact to our people and our economy.

The issue was revisited in July by the State Legislature in an unprecedented attempt to usurp the authority of the State Lands Commission. After many passionate pleas by Assemblymembers to their constituents as to why they could never support such a risky proposal for the California coast, by a 28-43 vote, the State Assembly rejected the proposal. We in California – particularly the coastal communities most impacted – do not want additional offshore oil drilling on our shores.

The State Lands Commission calls on the federal government to join them in rejecting new drilling off the coast of California. There are better alternatives.

Renewable Energy and Conservation are the Better Alternatives

We know California and the nation face energy problems, but the answer lies not in pursuing the fossil fuels that contribute to global warming and other environmental woes. According to the Intergovernmental Panel on Climate Change, "Continued greenhouse gas emissions at or above current rates would cause further warming and induce many changes in the global climate system during the 21st century that would very likely be larger than those observed during the 20th century."

We've allowed the Arctic ice cap to shrink at an alarming rate, and glacial melting is leading to a rising sea line. If we fail to act immediately, we risk stopping the thermohaline ocean circulation pattern, which would have a profoundly negative impact on our country's climate. We must take

bold stands to reduce our dependence on the fossil fuels that contribute to global warming, because our failure to act can lead to environmental devastation and economic turmoil. By one estimate, global warming would cost the United States \$1.9 trillion annually by 2100 if present trends continue.

Instead of new offshore drilling, we should pursue conservation, weatherize buildings, and invest in renewable energy sources. As with our policy on offshore oil drilling, California practices what it preaches here too, enacting policies to reduce greenhouse gas emissions and increase the state's renewable energy. State law enacted in 2006 requires that the percentage of electricity generated in California from renewable sources reach 20 percent by 2010. Just yesterday, the Governor signed an Executive Order increasing the state's Renewable Portfolio Standard to 33 percent by 2020. These policies protect the local environment from impacts from practices like once through cooling at power plants. They protect the global environment by fighting global warming. And they obviate the need for the new oil and gas leases that we are discussing today.

Coastal Pollution

I wish I could sit before you here today and tell you that offshore oil drilling is the only threat California's precious coastline faces. But I can't.

Garbage tossed into the ocean – plastic bags, bottle caps, and other debris – routinely washes ashore on California's coast, killing an estimated 100,000 marine birds and mammals and countless fish. We know that 60 to 70 percent of the debris in the North Pacific Ocean is from plastics, and it is increasing at an alarming rate. Plastic debris in the area north of Hawaii in the Northwest Pacific Gyre has increased 5-fold in the last 10 years. Approximately 80 percent of the debris comes from land-based sources, particularly trash and plastic litter in urban runoff.

Economic impacts associated with ocean litter are also significant. Public agencies in California spend millions annually on litter cleanup. The County of Los Angeles (L.A.) Department of Public Works and the Flood Control District spend \$18 million annually on street sweeping, catch basin cleanouts, cleanup programs, and litter prevention and education efforts. In addition to cleaning trash out of sewer systems, catch basins and other structures designed to trap trash from storm water, some coastal communities spend considerable funds on beach cleaning. For example, L.A. County collects over 4,000 tons of trash annually on its beaches, and in 1994, spent over \$4 million to clean 31 miles of beaches.

I sit on California's Ocean Protection Council, and in 2007, we adopted a resolution, "Reducing and Preventing Marine Debris", which outlined 13 recommendations to address this growing problem. The priority recommendations included:

1. Reduce single-use plastic packaging and promote sustainable alternatives.
2. Prevent and control litter and plastic debris.
3. Cleanup and remove litter.
4. Coordinate efforts with other jurisdictions in the Pacific region.

In November 2008, as a direct result of the resolution, the OPC released a report, "An Implementation Strategy for the California Ocean Protection Council Resolution to Reduce and Prevent Ocean Litter". OPC's adoption of this report was a critical step in setting achievable goals for the state and established how California generates, handles, disposes and can reduce marine debris.

We know that most ocean debris comes from land-based sources, and the biggest single contributor is packaging waste. Our Steering Committee identified three priority legislative actions to reduce and prevent this litter, including packaging waste:

1. Extended Producer Responsibility (EPR) – also known as “producer take-back” – for packaging waste.
2. Prohibitions on specific types of packaging that commonly become litter, such as single-use grocery bags.
3. Fees on commonly littered items to encourage both manufacturers and consumers to seek out less litter-prone product alternatives.

That year, we pursued legislation to address the priority goals of the Ocean Protection Council, but it soon became clear that needed legislation to address the plight of our coasts was stalled in the state legislature without a better organized coalition.

Clean Seas Coalition is Born

In 2008, I formed the Clean Seas Coalition, a coalition of environmentalists, scientists, California lawmakers, students, and community leaders, to push California lawmakers to strengthen laws that reduce trash from California's seas and beaches.

The purpose of the Coalition is to act as an informal clearinghouse for diverse efforts aimed at making the recommendations of the Ocean Protection Council relating to marine debris a reality, and to increase public awareness of the serious environmental impacts of disposing of trash and plastic waste in the ocean.

Our diverse coalition continues the necessary work to move our legislation forward, and we are hopeful that we will have bills on the Governor's desk by the end of next year. 2009 coalition-sponsored legislation included:

1. A bill that would ban smoking on public beaches and parks statewide, as cigarette butts are a significant component of marine debris.
2. A bill that would ban bisphenol-A (BPA), a known endocrine disruptor in baby bottles, sippy cups, formula cans and food jars. Emerging research indicates BPA is linked to a host of serious developmental and health problems, even in extremely low doses.
3. A bill that would prohibit a store from providing single-use carryout bags – either paper or plastic – unless the store charges a fee of not less than \$0.25 per bag at checkout. The fees would generate local and state revenue for plastic bag pollution prevention and reduction.
4. A bill that would create a program to have producers of designated products responsible for the life-cycle of their product, including waste disposal.
5. A bill that would prevent food vendor from dispensing prepared food to a customer in a disposable polystyrene nonrecyclable plastic or nonrecycled paper container.
6. A bill that would make plastic beverage bottle caps become part of California's successful bottle recycling by requiring caps to be attached to the bottle.

We also welcome federal action to deal with these ongoing problems and look forward to continuing a statewide and national dialogue on the importance of protecting our fragile coasts. Federal assistance to promote recycling and reduce plastics would go a long way to protecting our oceans.

Conclusion

I want to thank the Ocean Policy Task Force for giving me the opportunity to speak before you today. As you continue your important work, I hope you take into account the many challenges California faces in protecting our coastline from pollution and work with us to make sure our children inherit an ocean that is available for recreation and commerce for generations to come.

We must work to prevent an oil spill from defiling our coast, and the simplest and most effective way to do that is to stop all efforts to begin new drilling off our coast. Our addiction to oil has a

remedy, and the remedy is a coordinated and continued commitment to conservation and renewable energy. We must also defend our coasts from a growing debris problem that poisons our marine life and threatens the beauty of our natural wonders. I know President Obama understands the need to embrace a 21st century green economy, and I offer my experiences and expertise to make that happen.